

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CASE NO. 4:95-cr-00123-2
	)	
Oscar Lee Brown, Jr.,	)	
Defendant.	)	
	)	
	)	

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O R D E R

On February 28, 2019, this Court denied Defendant's First Step Act motion because the Act did not alter his guideline range. In February 2020, the Eleventh Circuit Court of Appeals affirmed that decision. On June 26, 2020, however, the Eleventh Circuit vacated its earlier decision and remanded the case for reconsideration given the Circuit's decision in *United States v. Jones*, 962 F.3d 1290 (2020).

In *Jones*, the Eleventh Circuit essentially held that a defendant's eligibility for a First Step Act sentence reduction hinges on whether a defendant was sentenced for a "covered offense," pursuant to the First Step Act's definition of such, not whether his guideline range was affected by the Act. In the instant matter, all parties agree that Defendant was sentenced for a "covered offense."

Defendant was sentenced on January 9, 1996, by this Court to a term of life imprisonment for Defendant's involvement in a cocaine distribution conspiracy. He has been in continuous custody since May 1995 (more than 25 years), and he appears to be the only defendant, in a 25-defendant case, who is still serving on his original sentence.

Honorable William T. Moore, Jr.  
RE: BROWN, Oscar Lee Jr. - Order

Without question, Defendant was responsible for the distribution of substantial quantities of illegal drugs, and he has a history of violent behavior. Defendant was 22 years old when he entered custody in 1995 though, and he is 47 years old now. As submitted by Defendant, his Bureau of Prisons records reflect an impressive history of educational and vocational coursework completion, beginning as early as 2001. He has also earned his GED. These achievements are indicative of someone who has matured and is preparing to make a positive and valuable contribution to society.

The Court is also aware, based on a review of numerous letters submitted on Defendant's behalf, that he has a significant network of support, comprised of both family and friends, who stand ready to assist him should he be released from prison.

The Court has carefully reviewed all aspects of Defendant's case, as well as the 18 U.S.C. § 3553(a) factors that govern all sentencing decisions. Pursuant to the First Step Act, the Court hereby reduces Defendant's life sentence to **364 months**. A sentence of 364 months as to Defendant is sufficient, but not greater than necessary, to comply with the purposes of sentencing set forth at 18 U.S.C. § 3553(a).

SO ORDERED this 10<sup>th</sup> day of September, 2020.

  
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WILLIAM T. MOORE, JR.  
JUDGE, U.S. DISTRICT COURT